IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

-

WRIT PETITION NO : 20192 of 1993

Between:

K. Diwakar S/o late Appala Swamy
D.C. Dept., Port Fire Service Section, Visakhapatnam Port Trust,
Visakhapatnam

..... PETITIONER

AND

1 The Chairman, Visakhapatnam Port Trust, Visakhapatnam
2 Deputy Conservator, Visakhapatnam Port

Trust, Visakhapatnam
3 The Manager, (Operation) Visakhapatnam Port

Trust, Visakhapatnam

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction, particularly one in the nature of mandamus, directing the respondents not to consider the candidates who applied and were selected for the vacancy of A.Suryanarayana under the earlier notification No.5/93 dt: 30-3-93 in the vacancy of Fire and Asst. Safety Officer, Class II that arose subsequently on 18-10-93 (due to the retirement of A. Venkat Rao on medical grounds) and consequently direct the respondents to fill up the vacancy by adhoc promotion from among the 'Inservice qualified Candidates'.

Counsel for the Petitioner:MR.J.VENUGOPAL RAO

Counsel for the Respondents : MR.K.SRINIVASAMURTHY

The Court made the following :

O R D E R:

This Writ Petition is filed seeking Writ of Mandamus directing the respondents not to consider the candidates who applied and were selected for the vacancy of A.Suryanarayana under the earlier notification No.5/93, dated 30-03-1993 in the vacancy of Fire and Assistant Safety Officer, Class-II, that arose subsequently on 18-01-1993 (due to retirement of A.Venkata Rao on medical grounds) and consequently to direct the respondents to fill the vacancy by adhoc promotion from among the 'inservice qualified candidates'.

2. I am afraid that the very relief sought for is most inappropriate and misconceived.

3. At this distance of time, it will not be appropriate to adjudicate the matter on merits. Under these circumstances, the Writ Petition is closed. However, it is open for the petitioner to make a representation if his grievance is still subsists with regard to his promotion.

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G.BIKSHAPATHY, J

Dated: 30-09-2004

Prv/bsb

To

1 The Chairman, Visakhapatnam Port Trust, Visakhapatnam.
2 Deputy Conservator, Visakhapatnam Port

Trust, Visakhapatnam.
3 The Manager, (Operation) Visakhapatnam Port

Trust, Visakhapatnam.

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